REMARKS

Claims 1-13 are in the application as filed. Claims 6-14 are withdrawn from consideration and Claims 1-9 are rejected. Claims 6-9 were previously amended to remove improper multiple dependency and language. Claim 3 has been amended to depend upon Claim 1 and new claims 15-21 are added.

REJECTION UNDER 35 USC 112

Claims 1 and 3-9 are rejected as indefinite as applicant's limitation related to "... no desiccant material" was deemed to inappropriately limit the glass. Applicant has rewritten that limit to Claim 1 and changed the word "comprising" to "consisting of". These amendments should resolve the 35 USC 112 problems. Claims 3-9 were rejected as dependent upon a rejected Claim 1. The amendment to Claims 1 and 3 should avoid this rejection.

REJECTIONS UNDER 35 USC 102 and 103

Claims 1-9 are rejected under 35 USC 102(b) as anticipated by Tremel et al.US Publication 2005/0238803 A1 (priority based on provisional application 60/519,139, filed on Nov. 12, 2003). The Examiner asserts that Tremel et al. teach a method of adhering getter materials to a surface for use in electronic devices and that applicant's claims are deemed to be anticipated over the getter composition disclosed in the reference's Example 1.

Applicants respectfully assert that their claims, as amended herein, are not anticipated by Tremel et al. Tremel et al. disclose a method for adhering a getter material to a surface, comprising the steps of: (a) applying to at least a portion of a surface at least one getter composition comprising: (i) particles of at least one getter; (ii) particles of at least one inorganic binder; and (iii) a liquid medium, and (b) densifying the getter composition in a environment substantially free of contaminants so as to activate the getter material and to cause it to adhere to the surface. The getter may comprise a molecular sieve or a zeolite sieve. The binder may comprise at least one material selected from glass frits and clay particle materials. In the above method the inorganic binder may comprise a glass frit comprising Al.sub.2O.sub.3, SiO.sub.2, B.sub.2O.sub.3, PbO, K.sub.2O, Bi.sub.2O.sub.3, Na.sub.2O, Li.sub.2O, P.sub.2O.sub.5, NaF, CdO, and MO where O is oxygen and M is selected from Ba, Sr, PB, Ca, Zn, Cu, Mg, and mixtures thereof; and the molecular sieve particles comprise at least one synthetic zeolite or natural zeolite.

It is noted that James David Tremel, Terri Cardellino, and Young Cho are also co-inventors of the present application, filed on November 13, 2003; a day after the Tremel et al. 60/519,139 application was filed on November 12, 2003. Any contribution by Tremel, Cardellino and Cho to the present application was derived from and related to their contribution to provisional 60/519,139.

The present composition is described by Claim 1 as "A screen-printable getter composition consisting of : glass frit; dispersed in organic medium and in Claim 2, a screen-printable getter composition comprising: glass frit; and desiccant material; dispersed in organic medium. The organic medium in each case is comprised of organic polymeric binder and volatile organic solvents. Applicants, in their Claim 1, do not disclose the synthetic or natural desiccant zeolite getters as in the Tremel; et al. reference. In Applicants' Claim 1, there is no **added** desiccant specifically required for the use of the glass powder that is dispersed in an organic medium composition so as to serve as a thick film getter or additive to promote densification of thick films and adhesion to substrate surfaces (See the present specification at page 4, lines 21-25.) However, Applicant's composition may also, in one embodiment, further contain a desiccant or other impurity absorbing material; the possible desiccants are described in the specification starting at page 8, line 23.. The low softening glass of the instant invention is dispersed in organic media before firing to form a viscous paste. Upon firing, the glass wets the substrate or where desiccant is present, wets the desiccant. The glass itself does not have to be porous or is not produced by any fast evaporation or bubbling as in some examples of the art. See spec at page 6, lines 1-6. However, a proper choice of hygroscopic glass is required. This limitation is now included in Claim 1. The getter composition in the present case is bonded to the substrate by firing.

Claims 1-9 are rejected as anticipated under 35 USPTO 102 (e) over Cho et al. 6,835,682.

Patent '682 is assigned to the same entity as the instant application and was invented by one of the same inventors as in the instant case. It concerns: among other embodiments:

1. A glass composition comprising, in mole %, 10-25% SiO.sub.2, 10-25% B.sub.2 O.sub.3, 5-10% BaO, 40-65% MgO, 0.5-3% ZrO.sub.2, 0.3-3% P.sub.2 O.sub.5, and 0.2-5% M.sub.2 O where M is selected from the group of alkali metal elements and mixtures thereof.

   Claim 2 teaches the composition of claim 1 wherein the alkali metal element is selected from Li, Na and K.

Patent '682 (Cho et al) teach a composition having 2-5% M where M is an alkali metal. It should be noted that Applicant Cho's contribution to the instant application is derived from his contribution to 6,835,682 and thus '682 should not comprise a reference against the present application.

Claims 1-3 are rejected as anticipated over US 4,615,823 ('823), Tokuyama and Claims 4-5 are rejected as obvious over '823.

Tokuyama discloses desiccating agents comprising a mixture of (A) a deliquescent salt, (B) a hydrolyzed copolymer containing 50 to 99.8% by mole of vinyl acetate and 50 to 0.2% by mole of an unsaturated dicarboxylic acid or ester thereof in which a degree of hydrolysis of the vinyl acetate component is not less than 70% by mole, and (C) a fibrous material having a diameter of 0.1 to 0.002 mm and a length of 15 to 0.005 mm as main components. The examiner argues that Tokuyama teaches a desiccating mixture that can be reused as grounds for rejecting Claims 1-3. Applicant acknowledges that the desiccating mixture of Tokuyama is reusable as is the present desiccant. However, the present invention does not require a desiccant as in Tokuyama (See present Claim 1) and Tokuyama does not disclose the glass powders that is an integral part of the present invention and are included in Claim 4 and 5.

Concerning Claims 1-9, the Examiner notes that there is no direct teaching by way of an example as to where applicant's polymeric binders and organic solvents are used. In view of the differences pointed out herein, the Tokuyama reference provides little or no motivation for developing applicant's glasses and applicant's claimed polymers, binders and organic solvents.

Claim 1-7 and 9 are rejected as obvious over Borroughs US 3,235,089. Borroughs discloses a composite absorbant filter body consisting essentially of an absorbant material selected from the group consisting of molecular sieves, activated alumina and mixtures thereof, fused together by absorbent material of a glass frit having maturing temperature between 850°F and 2000 degrees F. The glasses used in the present case densify at lower densification temperatures i.e. 400-650 degrees C. This characteristic differs from the above higher temperatures in Borroughs. Further, applicant's Claim 1 does not require the use of added desiccants and absorbers as in Borroughs. In view of these differences, applicants respectfully submit that Borroughs does not provide the motivation to arrive at the present invention.

Claims 1-3 are rejected as anticipated by Shores US 5,244,707. Claims 4-9 are also rejected as obvious over '707.

Applicants respectfully argue that Claims 1-3 are not anticipated and Claims 4-9 are not obvious over Shores. As noted in applicant's background section of their specification, '707 discloses a sealed enclosure of an electronic device which incorporates a coating or adhesive having desiccant properties. The coating comprises a protonated alumino silicate powder dispersed in polymer. Claim 1 of the present case and its dependent claims does not require a desiccant. Further Shores does not disclose the selection of glass powders disclosed in the present application.

Claims 1-9 are rejected as obvious over Shores, US 5,591,379. As noted in applicants' specification, Patent '379 to Shores teaches a composition of matter useful as a desiccant in a hermetic electronic device, comprising a powder dispersed in a binder, where the powder is selected from the group consisting of zeolite molecular sieves, activated alumina, silica gel, alkaline earth oxide, and alkali metal carbonate; said binder is a continuous matrix of porous glass or porous ceramic; and said powder to binder volume ratio is 0.001-2. The glasses disclosed for use as a binder must be made porous by creating channels for water vapor to penetrate. This may be done by various techniques known in the art, such as the use of blowing agents, fast evaporation of water or other gases during formation, fast decomposition of metalloorganic polymers and low temperature or incomplete sintering.

Shores differs from applicant's invention as there is no teaching by way of any examples to an embodiment where the glass binder is used with a polymeric binder. Further, the glasses in Shores require channels or porousness for the water vapor to penetrate. The present invention does not require these channels of Shore (See page 6, lines 1-6 of the present specification).

In view of the foregoing, discussion, the previously submitted terminal disclaimers and the amendments submitted herewith, reconsideration of the final rejection is requested and allowance of the above-referenced Claims 1-9 and new claims 15-21 is respectfully solicited.

If anything further is needed to advance the allowance of the claims of this application, the Examiner is urged to contact applicant's attorney at the telephone number below.

Respectfully submitted,

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